

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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NATHAN IVERSON,	:	
Plaintiff	:	NO. 3:21-cv-13335
	:	
v.	:	
	:	
KANIA REAL ESTATE	:	JURY TRIAL DEMANDED
HOLDINGS, LLC, <i>individually and</i>	:	
<i>d/b/a</i> COMFORT INN AT TOMS	:	<b>DEFENDANT’S MOTION TO</b>
RIVER;	:	<b>DISMISS PURSUANT TO</b>
STEPHANIE CONWAY,	:	<b>FEDERAL RULE OF CIVIL</b>
<i>individually and in her official</i>	:	<b>PROCEDURE 12(b)(6)</b>
<i>capacity</i> ; and	:	
PATRICIA BRECKA, <i>individually</i>	:	
<i>and in her official capacity</i> ,	:	
Defendants.	:	

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Defendants’, Kania Real Estate Holdings, LLC, individually and d/b/a Comfort Inn at Toms River, Stephanie Conway, individually and in her official capacity, and Patricia Brecka, individually and in her official capacity (collectively, “Defendants”), by and through their counsel, Saxton & Stump, LLC, respectfully move this Honorable Court to dismiss Counts IV and VIII of Plaintiff’s Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). The complete grounds, argument, legal authority and exhibits supporting this Motion are set forth in Defendants’ accompanying Brief, which is incorporated herein by reference as though set forth at length.

**WHEREFORE**, Defendants, Kania Real Estate Holdings, LLC, individually and d/b/a Comfort Inn at Toms River, Stephanie Conway, individually and in her

official capacity, and Patricia Brecka, individually and in her official capacity, respectfully request their Motion to Dismiss be granted and an Order entered in the form attached hereto.

Respectfully submitted,

SAXTON & STUMP

Dated: September 20, 2021

By: /s/ Lane E. Brody  
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*Pro Hac Vice Pending*

*Attorney for Defendants Kania Real Estate Holdings, LLC, individually and d/b/a Comfort Inn at Toms River, Stephanie Conway, and Patricia Brecka*

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, the foregoing *Defendants' Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6)* was filed electronically on the CM/ECF website for the United States District Court for the District of New Jersey and is available for viewing by all electronic filers through the court's CM/ECF system.

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*Counsel for Plaintiff*

Dated: September 20, 2021

By: /s/ Lane E. Brody  
Lane E. Brody, Esquire